IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24158 of 2004

Between:

1 Bommisetty Prasad Rao S/o Late Mallikarjuna Rao
R/o Gandhi Road, Ongole, Prakasham District
2 Bommisetty Sudhakar Rao S/o Late Mallikarjuna Rao
R/o Garden Towers, Block B, Flat No. F2, Managamur road, Ongole

Prakasam District
3 Pubbisetty Pushapavathi W/o Venkata Subbaiah
R/o Pappu Bazar, Gandhi Road, Ongole Prakasam District
4 Munga Ammani W/o Venkata Krishna Rao
R/o South Street, Gandhi Road, Ongole Prakasam District
5 Grandhi Vanaja Kumari W/o Chenchu Rama Rao
R/o South Street, Gandhi Road, Ongole Prakasam District
6 Gonugunta Padmavathi W/o Venkateswarlu
R/o Kanyaka Parmeswari Street Gandhi Road, Ongole Prakasam

District

..... PETITIONERS

AND

1 The Government of A.P., rep by the Director of Mines and Geology

BRKR. Bhavan Tank Bund road, Hyderabad
2 M/s. Apple Industries Ltd., rep by Managing Director Registered Office

at 38/39, Rajgir Chambers,
4th Floor, Opp: Old Customs House, Shahid Bagat Singh road,

Bombay-400 023
3 M/s. Apple Granites Ltd., rep by Managing Director G-4, Padmavathi

Towers, Lawyer Pet,

Ongole, Prakasam District
4 The Deputy Director of Mines and Geology, Guntur, Guntur District
5 The Asst. Director of Mines and Geology, Ongole Prakasam District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring that the mining lease in favour of the 2nd respondent in the proceedings NO. 6678/Q1/93 dt 06-12-1993 and the lease granted in the guise of amendment in favour of the 3rd respondent in the proceedings No. 6678/Q/93 dt 29-03-1995 are null and void, illegal, inoperative, unfair and unjust.

Counsel for the Petitioners: MR.B.V.SUBBAIAH

Counsel for the Respondents: GP FOR MINES AND GEOLOGY

The Court, at the stage of admission, made the following:

ORDER:

Learned counsel for the petitioners filed a memo seeking permission of this Court to withdraw the writ petition with liberty to amend the relief in Writ Petition No.19159 of 2004 without prejudice to their contentions, as the parties and the subject matter is one and the same in this writ petition and in W.P.No.19159 of 2004. Permission is accorded.

Accordingly, the writ petition is dismissed as withdrawn granting liberty to the petitioners to amend the relief in the Writ Petition No.19159 of 2004 without prejudice to their contentions. No costs.

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N.V. RAMANA, J.

Date: 28.01.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Director of Mines and Geology, Government of A.P.,

BRKR. Bhavan Tank Bund road, Hyderabad
2 The Managing Director, M/s. Apple Industries Ltd., Registered Office

at 38/39, Rajgir Chambers,
4th Floor, Opp: Old Customs House, Shahid Bagat Singh road,

Bombay-400 023
3 The Managing Director, M/s. Apple Granites Ltd., G-4, Padmavathi

Towers, Lawyer Pet,
Ongole, Prakasam District
4 The Deputy Director of Mines and Geology, Guntur, Guntur District
5 The Asst. Director of Mines and Geology, Ongole Prakasam District

6 Two CCs to GP for Mines and Geology, High Court of AP, Hyderabad

(OUT)

7 Two CD copies.

*Form-NIC-OGS/WP{**TRT**}*